

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY *[Signature]*  
ROBERT P. D'ARCO  
CLERK, U.S. DIST. CT.  
W.D. OF TN, MEMPHIS

THOMAS KIRACOFE,  
Petitioner,

vs.

DISCIPLINARY HEARING OFFICER  
LIVINGSTONE,  
Respondent.

X  
X  
X  
X  
X  
X  
X  
X  
X  
X  
X

No. 05-2084-M1/P

ORDER CORRECTING THE DOCKET  
AND  
SECOND ORDER DIRECTING PETITIONER  
TO FILE AN IN FORMA PAUPERIS AFFIDAVIT OR PAY THE HABEAS FILING FEE

Petitioner Thomas Kiracofe, Bureau of Prisons ("BOP") inmate registration number 16235-076, who was, at the time he commenced this action, an inmate at the West Tennessee Detention Facility ("WTDF") in Mason, Tennessee, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 on February 2, 2005. The Court issued an order on February 23, 2005, directing the Petitioner, within thirty (30) days, to submit a properly completed in forma pauperis affidavit demonstrating his indigency, along with an inmate trust fund account statement, or pay the habeas filing fee. Because the mailing label for the Court's order incorrectly listed the address of the WTDF as Memphis, rather than Mason, it

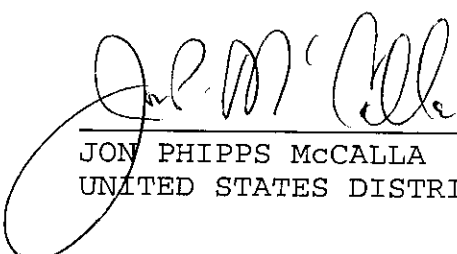
This document entered on the docket sheet in compliance  
with Rule 58 and/or 79(a) FRCP on 5-11-05

was returned by the post office on March 1, 2005, as undeliverable. The clerk re-mailed the order, bearing the correct address, on March 4, 2005, and it was returned by the post office on March 15, 2005, with the notation that the Petitioner was no longer at the WTDF. In the meantime, the clerk docketed a letter from Kiracofe on March 7, 2005, which was dated February 14, 2005, stating that he had been transferred to the Federal Correctional Institution in Pekin, Illinois ("FCI-Pekin") and asking for a decision on the merits of his petition by March 1, 2005, when he expected to be released. According to the BOP's website, Kiracofe is still at FCI-Pekin, with an expected release date of May 6, 2005. Accordingly, the clerk is ORDERED to correct the docket to reflect the Petitioner's new address.

The Clerk is further ORDERED to send the Petitioner a copy of the February 23, 2005, order. The due date for Petitioner's response to that order is EXTENDED until thirty (30) days after the date of entry of this order.

The Petitioner's request for a decision by March 1, 2005, which was not received until March 7, 2005, is DENIED as moot.

IT IS SO ORDERED this 9 day of May, 2005.

  
JON PHIPPS McCALLA  
UNITED STATES DISTRICT JUDGE



## Notice of Distribution

This notice confirms a copy of the document docketed as number 7 in case 2:05-CV-02084 was distributed by fax, mail, or direct printing on May 11, 2005 to the parties listed.

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Thomas Kiracofe  
WEST TENNESSEE DETENTION FACILITY  
16235-076  
P.O. Box 509  
Memphis, TN 38049

Honorable Jon McCalla  
US DISTRICT COURT